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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,089	04/25/2001	Donald R. Ryan	A0477-US-NP XERZ 2 01054	4959
27885 7590 01/17/2007 FAY SHARPE LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			EXAMINER HUNTSINGER, PETER K	
			ART UNIT 2625	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/17/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/841,089

Applicant(s)

RYAN ET AL.

Examiner

Peter K. Huntsinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/26/06 has been entered.

### ***Response to Arguments***

2. Applicant should submit an argument under the heading "Remarks" pointing out disagreements with the examiner's contentions. Applicant must also discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-6, 15-19, 21-24, 33, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Allen et al. US Patent 6,549,299.

Referring to claims 1 and, Allen et al. disclose a production and finishing system for producing and finishing work pieces of a job, comprising: a) a production device for producing the work pieces of the job (printer 14 of Fig. 1, col. 2, lines 51-53); b) a finishing device for finishing the output of the production device, such finishing device being controlled separately from the production device and having at least one constraint (finishing machine of Fig. 1, col. 2, lines 51-53); c) a production monitor controller that outputs job coordination information, which coordination information is based upon constraints of the finishing device (computer 12 of Fig. 1, col. 3, lines 17-26); and d) a finishing module coordinator that, after receiving job coordination information output from the production monitor controller, directs operation of the finishing device (control logic of Fig. 3, col. 4, lines 29-45).

Referring to claim 2, Allen et al. disclose wherein the production device comprises a printing device and wherein the job is a print job (printer 14 of Fig. 1, col. 2, lines 51-53).

Referring to claim 3, Allen et al. disclose wherein the finishing device performs packaging operations (col. 2, lines 47-50).

Referring to claims 4 and 22, Allen et al. disclose wherein the production monitor controller outputs job coordination information comprising identity of job segments determined at least in part upon constraints of the finishing device (col. 6, lines 7-18).

Referring to claims 5 and 23, Allen et al. disclose wherein the production monitor controller outputs at least a portion of finishing job segment information prior to production of at least a portion of the job by the production device (col. 7, lines 3-13).

Referring to claims 6 and 24, Allen et al. disclose wherein the production monitor controller output comprises a job segment identifier uniquely associated with each identified job segment (barcode 38 of Fig. 2, col. 3, lines 54-61).

Referring to claims 15 and 33, Allen et al. disclose wherein the production manager controller outputs job coordination information comprising: a) identification of different job segments for differing operations of the job (col. 7, lines 6-11), b) instructions for production of each production job segment (col. 3, lines 13-15); and c) instructions for finishing of each finishing job segment (col. 4, lines 29-45).

Referring to claims 16 and 34, Allen et al. disclose wherein the production manager controller outputs further comprise: a) integrity descriptors for use by the finishing module coordinator (col. 3, lines 58-61); b) at least one virtual print job ticket (col. 3, lines 18-27); and c) at least one virtual finishing job ticket (col. 3, lines 18-27). The job tickets disclosed by Allen et al. contain printing instructions and finishing instructions. Printing two different jobs would result in two different job tickets.

Referring to claim 17, Allen et al. disclose a plurality of finishing devices (Finishing components 52 of Fig. 3, col. 4, lines 42-44) and a plurality of production devices (col. 2, lines 55-58) wherein a plurality of finishing devices are controlled separately from each of the production devices.

Referring to claim 18, Allen et al. disclose wherein the finishing module coordinator directs operation of at least one finishing device by providing human readable instructions to human operators (col. 3, lines 30-43).

Referring to claim 19, Allen et al. disclose wherein at least some of the functions of the finishing module coordinator are performed within the same apparatus as the production manager controller device (col. 3, lines 10-12) (col. 3, lines 17-26). The control panel or the instruction sheet can be used to configure the finishing machine.

Referring to claim 21, Allen et al. disclose a method for coordinating the printing and finishing of a print job, comprising: a) printing job segments using a printing device (printer 14 of Fig. 1, col. 2, lines 51-53) having at least one constraint (100 of Fig. 6, col. 7, lines 3-5); b) finishing the printed job segments using a finishing device (finishing machine of Fig. 1, col. 2, lines 51-53) that is controlled separately from the printing device and having at least one constraint (110 of Fig. 6, col. 7, lines 30-32); c) outputting job coordination information from a production monitor controller (computer 12 of Fig. 1, col. 3, lines 17-26), such job coordination information being based upon the constraints of the finishing device (102 of Fig. 6, col. 7, lines 14-20); and d) directing operation of the finishing device by a finishing module coordinator (control logic of Fig. 3, col. 4, lines 29-45) after such finishing module coordinator receives job coordination information from the production monitor controller (108 of Fig. 6, col. 7, lines 22-30).

***Claim Rejections - 35 USC § 103***

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7, 8, 14, 20, 25, 26, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen et al. US Patent 6,549,299 as applied to claims 1 and 21 above, and further in view of Hower, Jr. et al. US Patent 5,467,434.

Referring to claims 7 and 25, Allen et al. disclose a finishing module coordinator (control logic of Fig. 3, col. 4, lines 29-45) that receives at least some job coordination information output from the production monitor controller (computer 12 of Fig. 1, col. 3, lines 17-26). Allen et al. do not disclose expressly receiving job coordination information from a virtual finishing job ticket database. Hower, Jr. et al. disclose a virtual finishing job ticket database (print queue 42 of Fig. 2, col. 4, lines 41-48) that outputs job coordination information (col. 7, lines 30-32). Allen et al. and Hower, Jr. et al. are combinable because they are from the same field of print finishing systems. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize a virtual finishing job ticket database. The motivation for doing so would have been to queue print finishing jobs so additional jobs can be handled while one job is currently printing. Therefore, it would have been obvious to combine Hower, Jr. et al. with Allen et al. to obtain the invention as specified in claim 7.

Referring to claims 8 and 26, Allen et al. disclose wherein the production monitor controller outputs job coordination information comprising: a) identity of at least one job

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segment determined at least in part upon constraints of the finishing device (ID of Fig. 2) and b) a job segment identifier uniquely associated with job coordination information pertaining to the job segment (ID of Fig. 2). Hower, Jr. et al. disclose wherein the virtual finishing job ticket database stores a copy of the job ticket (col. 7, lines 30-32). Because the job ticket of Allen et al. includes the job segment identifier, storing the job ticket as disclosed by Hower, Jr. et al. would incorporate storing the job segment identifier.

Referring to claims 14 and 32, Allen et al. disclose wherein the production monitor controller outputs a virtual finishing job ticket (col. 3, lines 18-27). Hower, Jr. et al. disclose storing a copy of the job ticket in the virtual finishing job ticket database (col. 7, lines 30-32).

Referring to claim 20, Allen et al. disclose a system for integrating and controlling assembler/finishing processes, comprising: a production monitor controller capable of separating a production job into job segments based upon the capabilities and constraints of devices to be used in the production process (computer 12 of Fig. 1, col. 3, lines 17-26); a finishing module coordinator, in communication with assembler/finisher devices (control logic of Fig. 3, col. 4, lines 29-45). Allen et al. do not disclose expressly a database for storing job segment descriptions and a database for tracking job segments. Hower, Jr. et al. disclose at least one database for storing information concerning the capabilities and constraints of devices to be used in the production process and for storing job segment descriptions (col. 5, lines 10-21); and with at least one database, tracking job segments during the production process (print



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queue 42 of Fig. 2, col. 4, lines 41-48). Allen et al. and Hower, Jr. et al. are combinable because they are from the same field of print finishing systems. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize printer profiles and a virtual finishing job ticket database. The motivation for doing so would have been to maintain a list of the finishing options currently available and to queue print finishing jobs so additional jobs can be handled while one job is currently printing. Therefore, it would have been obvious to combine Hower, Jr. et al. with Allen et al. to obtain the invention as specified in claim 20.

7. Claims 9-13, and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen et al. US Patent 6,549,299 and Hower, Jr. et al. US Patent 5,467,434 as applied to claims 8 and 26 above, and further in view of Neilsen US Patent 6,639,687.

Referring to claims 9 and 27, Allen et al. disclose a job segment identifier and Hower, Jr. et al. disclose job coordination information stored in the virtual finishing job ticket database. Neither Allen et al. or Hower, Jr. et al. disclose expressly a job segment identifier code that forms a vector. Neilsen discloses a job segment identifier code that is physically associated with a job segment wherein such job segment identifier code forms a vector to job coordination information, and pertaining to the job segment to which the job segment identifier code is physically associated (col. 6, lines 46-51). Allen et al. and Neilsen are combinable because they are from the same field of printing systems. At the time of the invention, it would have been obvious to a person of

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ordinary skill in the art to associate a pointer with a job segment identifier. The motivation for doing so would have been to not have to include actual data but refer to the data stored elsewhere so as to reduce the amount of memory needed. Therefore, it would have been obvious to combine Neilsen with Allen et al. to obtain the invention as specified in claims 9 and 27.

Referring to claims 10 and 28, Neilsen discloses wherein the job segment identifier code comprises recognizable text (col. 6, lines 46-51). Allen et al. disclose printing the job segment identifier on a sheet located on the job segment (col. 3, lines 27-43).

Referring to claims 11 and 29, Neilsen discloses the job segment identifier code (col. 6, lines 46-51). Allen et al. disclose printing the job segment identifier on a sheet located on the job segment (col. 3, lines 27-43).

Referring to claims 12 and 30, Allen et al. disclose wherein the job segment identifier sheet contains job coordination information pertaining to the job segment that was outputted from the production manager controller (col. 3, lines 18-27). Hower, Jr. et al. disclose storing the job ticket in the virtual finishing job ticket database (col. 7, lines 30-32).

Referring to claims 13 and 31, Allen et al. disclose a virtual finishing job ticket reader for reading information from the job segment identifier sheet (barcode reader 44 of Fig. 3, col. 4, lines 54-61).

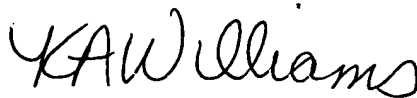
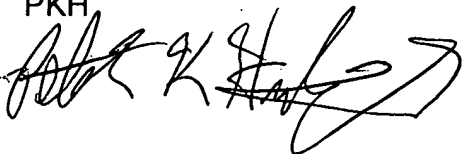
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571)272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PKH



**KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER**